

**IN THE U.S. PATENT AND TRADEMARK OFFICE**

In re application of

Takeshi AZAMI et al.

Conf. 7258

Application No. 10/560,593

Group 4162

Filed December 13, 2005

Examiner G. Gregorio

NANOCARBON-PRODUCING DEVICE

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

NEC Corporation of Tokyo, Japan, owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any Terminal Disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/544,400, filed on August 3, 2005. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement

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The undersigned is an attorney of record.

Respectfully submitted,

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TWP/dp